

**CALENDAR ITEM
C36**

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04/23/15
PRC 3044.1
B. Terry

AMENDMENT OF LEASE

LESSEE:

Chambers Landing No. II Homeowners Association

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 6400 and 6500 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, 46 mooring buoys, two swim areas, two swim floats, two marker buoys, and one speed limit buoy.

LEASE TERM:

10 years, beginning October 8, 2008.

CONSIDERATION:

\$7,565 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the lease to authorize the relocation of two existing marker buoys, one speed limit buoy, and one row of 12 mooring buoys to form one outer row in the existing buoy field; include additional special lease provisions related to the relocation of buoys; and replace the existing Land Description in Section 3 with the attached Exhibit A, Land Description and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjoining the lease premises.
2. On August 11, 2009, the Commission authorized a General Lease – Recreational Use to Chambers Landing No. II Homeowners Association. The Lease will expire on October 7, 2018. On February 8, 2011, the

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Commission authorized an amendment of lease to include two existing swim floats; revise the annual rent from \$15,036 to \$18,448, and replace the exhibits. On December 5, 2012, the Commission authorized an amendment of lease to change the two swim areas to seasonal use, include special lease provisions, and revise the annual rent from \$18,448 to \$7,565.

3. The Lessee is a homeowners association and has an existing mooring buoy field which consists of 46 mooring buoys, two marker buoys, and one speed limit buoy. Due to the low lake level in Lake Tahoe, the inner row of mooring buoys are located in water too shallow for safe navigation and moorage. The Lessee is proposing to relocate two marker buoys, one speed limit buoy, and the inner row consisting of 12 buoys to form one outer row in the buoy field. Permanently relocating the 12 buoys lakeward would provide safe navigation within the buoy field and long-term moorage during low lake levels.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVAL OBTAINED:

U.S. Coast Guard

FURTHER APPROVAL REQUIRED:

Tahoe Regional Planning Agency

EXHIBITS:

- A. Land Description
- B. Site and Location Map

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RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize the amendment of Lease No. PRC 3044.1, a General Lease – Recreational Use, effective April 23, 2015, to authorize the relocation of two existing marker buoys, one speed limit buoy, and one row of 12 existing mooring buoys to form one outer row in the existing buoy field; include additional special lease provisions related to the relocation of the buoys; and replace the existing Land Description in Section 3 with the attached Exhibit A, Land Description and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease will remain in effect without amendment.

LAND DESCRIPTION

Fifty two (52) parcels of submerged land lying in the State owned bed of Lake Tahoe, Placer County, State of California, more particularly described as follows:

PARCEL 1 – PIER

A 16 foot wide strip of submerged land lying adjacent to the line between points 36 and 37 as shown on map sheet 3 of 22 of the survey performed by the State of California, State Lands Commission, State Lands Division, filed in Book 2 of Surveys, Page 71, Records of said County, the centerline of which is described as follows:

COMMENCING at said point 36 having California Coordinate System, Zone 2, NAD 1927 coordinates of Northing (Y) = 518,225 feet and Easting (X) = 2,527,249 feet, as shown on said map; thence along the Low Water Mark as shown on said survey N 66°20'45" W a distance of 56.42 feet to the centerline of an existing pier; thence leaving said Low Water Mark, and along said centerline of said pier N 28°50'50" E 58.06 feet to the end of said pier, and the POINT OF BEGINNING; thence along the centerline of said pier S 28°50'50" W 120 feet to the terminus of said strip.

TOGETHER WITH a 10 foot impact area contiguous with the westerly, northerly and easterly sides of said pier.

The sidelines of said strip shall be prolonged or shortened so as to commence at a line perpendicular to the point of beginning and terminate at the Low Water Mark as shown on the Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Chambers Lodge, Placer County, sheet 3 of 22, surveyed by the State Lands Commission, Division of State Lands in September of 1950; filed in Book 2 of Surveys, Page 71, Records of said County.

EXCEPTING THEREFROM any portion of land lying landward of the Low Water Mark as shown on the Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Chambers Lodge, Placer County, sheet 3 of 22, surveyed by the State Lands Commission, Division of State Lands in September of 1950, filed in Book 2 of Surveys, Page 71, Records of said County.

PARCEL 2 – SWIM AREA #1

A parcel of submerged land lying adjacent to the line between points 30, 31 and 32 as shown on map sheet 3 of 22 of the survey performed by the State of California, State

Lands Commission, State Lands Division, filed in Book 2 of Surveys, Page 71, Records of said County, said parcel described as follows:

BEGINNING at said point 31 having California Coordinate System, Zone 2, NAD 1927 coordinates of Northing (Y) = 517,838 feet and Easting (X) = 2,528,022 feet, as shown on said map; thence along the line of the Low Water Mark as shown on said survey S 72°15'57" E a distance of 70.00 feet; thence leaving said line N 46°47'04" E a distance of 16.42 feet; thence N 16°39'50" E a distance of 87.95 feet; thence N 53°09'11" W a distance of 85.70 feet; thence S 75°14'48" W a distance of 141.91 feet to a point on the line of said Low Water Mark; thence along said line S 48°44'35" E a distance of 135.63 feet to the point of beginning.

EXCEPTING THEREFROM any portion of land lying landward of the Low Water Mark as shown on the Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Chambers Lodge, Placer County, sheet 3 of 22, surveyed by the State Lands Commission, Division of State Lands in September of 1950, filed in Book 2 of Surveys, Page 71, Records of said County.

PARCEL 3 – SWIM AREA #2

A parcel of submerged land lying adjacent to the line between points 32, 33, and 34 as shown on map sheet 3 of 22 of the survey performed by the State of California, State Lands Commission, State Lands Division, filed in Book 2 of Surveys, Page 71, Records of said County, said parcel described as follows:

BEGINNING at said point 33 having California Coordinate System, Zone 2, NAD 1927 coordinates of Northing (Y) = 517,895 feet, and Easting (X) = 2,527,847 feet, as shown on said map; thence along the line of the Low Water Mark as shown on said survey N 54°49'09" E a distance of 24.31 feet; thence leaving said line N 29°51'50" W a distance of 65.42 feet; thence S 61°18'15" W a distance of 51.64 feet; thence S 30°33'25" E a distance of 46.65 feet to a point on the line of said Low Water Mark; thence along said line S 80°26'24" E a distance of 34.76 feet to the point of beginning.

EXCEPTING THEREFROM any portion of land lying landward of the Low Water Mark as shown on the Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Chambers Lodge, Placer County, sheet 3 of 22, surveyed by the State Lands Commission, Division of State Lands in September of 1950, filed in Book 2 of Surveys, Page 71, Records of said County.

PARCELS 4 THROUGH 52 – BUOYS

Forty nine (49) circular parcels of submerged land, each having a diameter of 20 feet, said parcels lying northerly and easterly of the above mentioned pier.

The BASIS OF BEARINGS of this description is the California Coordinate System of 1927, Zone 2. All distances are grid distances.

END OF DESCRIPTION

Prepared 3/17/2015 by the California State Lands Commission Boundary Unit.



SITE

- EXISTING MARKER BUOY

LAKE TAYHOE

BUOY (46 T)

-EXISTING 5 MPH BUOY

6400 & 6500 WEST LAKE BLVD., NEAR HOMEWOOD

LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 3044.1
CHAMBERS LANDING HOA
APN 098-010-016 & 019
GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY

